

# KELLY HART

ATTORNEYS AT LAW

## J. STEPHEN RAVEL Partner

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*Austin*



### BIOGRAPHY

Stephen Ravel has more than 35 years' experience handling litigation matters at trial and on appeal. He currently defends some of the world's largest technology companies in patent matters spanning a number of subject matter areas including semiconductors, memory, data storage, smartphone functions, point of sale payment and security systems, medical devices, multi-mode security and mobile and online banking. Mr. Ravel's patent practice is currently primarily sited in the nation's newest and fastest-growing major patent venue—Western District of Texas, Waco Division. He also handles other litigation matters involving breach of contract, business torts, regulatory takings, lender liability, breach of trust matters, environmental matters, securities claims, insurance coverage/claims practices, trademark/trade secret/migrating employee engagements, construction litigation, telecommunication/internet regulation, class actions, challenges to administrative rules, and other regulatory actions. Mr. Ravel's extensive experience includes regulatory matters, including cases relating to the limits of government power.

Mr. Ravel has a long history of representing financial institutions where he routinely defends a variety of borrowers' claims and claims by trust department customers, has great experience with bankruptcy reorganizations and state court receiverships, and defends banks and their vendors in patent cases.

Mr. Ravel is a skilled "mediation advocate." He is trial-ready when he enters often-mandatory mediation and uses game theory, neuroscience, and evaluative software to best serve his clients during these negotiations.

Mr. Ravel has been named a "Texas Super Lawyer" by Thomson Reuters, recognized in Martindale-Hubbell, and selected by his peers for inclusion in *The Best Lawyers in America*© 2018, for business litigation, IP litigation, administrative/regulatory law, restructuring, and bankruptcy. He is the former board chair of the Headwaters School in downtown Austin, and in his spare time, Mr. Ravel enjoys piloting technically advanced aircraft. During law school, Mr. Ravel produced the CBS local nightly news in Austin.

### EXPERIENCE AND HIGHLIGHTS

- Obtained dismissal with prejudice in patent case accusing a mobile check deposit process
- Obtained finding of improper venue based on real estate rented in San Antonio by an affiliate NOT being a place of business "of the defendant"
- Obtained summary judgment invalidating patents in suit for lack of adequate written description

- Successfully defended application for preliminary injunction in a patent case involving direct competitors
- Part of team that obtained several no payment, agreed dismissals of online and mobile banking related patent infringement suits for major financial institutions and their vendors.
- Obtained complete withdrawal of an EPA Safe Drinking Water Act Imminent Endangerment Order on behalf of hydraulic fracturing natural gas operator accused of contaminating ground water
- Lead trial counsel in multi week fraudulent transfer case in which the Court set aside approximately \$12 million in transfers and awarded punitive damages
- Lead trial counsel in obtaining the largest takings/impairment judgment (\$208 million) ever obtained against the State of Texas; case settled for \$170 million during the State's appeal
- Testified as expert concerning construction of Texas gaming statutes in the Supreme Court of British Columbia
- Lead trial counsel in obtaining expedited, emergency force majeure relief related to a billion dollar construction project
- Successfully defended Bank Trust Department (and obtained reimbursement of a portion of the bank's legal fees) where plaintiffs claimed that the trust's principal assets had been diminished by \$11 million during the bank's tenure as trustee
- Lead trial court counsel in obtaining Federal Court approval of an electric plant over environmental objections, successfully defended the approval on appeal to the Fifth Circuit
- Argued matter in Austin Court of Appeals where Court's opinion drastically reduced amount workers' compensation carriers are required to reimburse hospitals for extensive inpatient services. The ruling impacted approximately 2,000 cases with approximately \$400 million in controversy
- Obtained a \$10 million recovery for major MCI subcontractor/administrative claimant on a expedited (10 weeks start to finish) basis
- Convinced environmental agency to withdraw, after trial and before decision, administrative rules that would have cost industry more than \$200 million in compliance costs
- Successfully defended the brand name of a service company against a permanent injunction and damage claim asserted by prior user claiming a likelihood of confusion
- Part of the team that recovered 65 cents on the dollar for a class defrauded in a foreign currency trading program

## **AFFILIATIONS AND HONORS**

### **AFFILIATIONS**

- Patent Standing Orders Working Group—Judge Alan D. Albright, United States District Court, Western District of Texas, Member
- Headwaters School, Inaugural, Former, Board of Chair

### **HONORS**

- Listed in *The Best Lawyers in America*®, 2018-2021
- Top Rated Lawyer in Corporate Restructuring and Bankruptcy, Martindale-Hubbel, 2013
- Texas Super Lawyer, Thomson Reuters, 2005

## **EDUCATION**

- The University of Texas School of Law, J.D., 1981
- Tufts University, B.A., *magna cum laude*, 1977

## **ADMISSIONS**

- State Bar of Texas, 1981
- U.S. Supreme Court
- U.S. Court of Appeals, Federal Circuit

- U.S. Court of Appeals, Fourth Circuit
- U.S. Court of Appeals, Fifth Circuit
- U.S. District Court, Western District of Texas
- U.S. District Court, Northern District of Texas
- U.S. District Court, Southern District of Texas
- U.S. District Court, Eastern District of Texas
- Certified Mediator; Advanced Mediation Training at Straus Institute

## **SPEECHES & PUBLICATIONS**

- Risks Under the ADA, TCPA,, FDCA, and from NPEs, 44<sup>th</sup> Annual TBA Bankers Legal Conference, April 5, 2018
- Anatomy of a Patent Case, 43rd Annual Texas Bankers Association Legal Conference, April 6-7, 2017
- Author, "Taking on the Patent Trolls," Texas Banking Magazine, December 2016.
- Energy Lending Update, Annual Convention of the Texas Association of Bank Counsel, 2013 and 2015
- Hydraulic Fracturing, 2011 - The Three Branches of Government and the Fourth Estate, 2011 23rd Annual Environmental Superconference, August 5, 2011
- Manifest Injustice That Cannot in Good Conscience be Tolerated, 18th Annual Advanced Bankruptcy Conference, Austin, Texas, November 18-19, 1999
- Tejas Litigation: How to Sue the State and Win Under a Privatization Contract, 10th Annual Advanced Administrative Law Course, Austin, Texas, September 24-24, 1998